

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

TERI M. FOX,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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Case No. 5:08-CV-2975

JUDGE KATHLEEN O'MALLEY

ORDER

Pending before the Court is the *Amended Motion for Remand* (Doc. 16) filed by the Defendant Commissioner of Social Security ("Commissioner"). In this motion, the Commissioner moves the Court to remand the case for a decision fully favorable to the Plaintiff Teri M. Fox. (*Id.*)

On July 8, 2009, Magistrate Judge Benita Y. Pearson filed a Report and Recommendation ("R&R"), recommending that the Court grant the Commissioner's *Amended Motion to Remand*. (Doc. 17.)

Though the time for filing objections to the Magistrate Judge's R&R has not yet expired, Plaintiff's counsel has informed the Court that Plaintiff does not object to the R&R.

Upon review of the record, the Court agrees with the Magistrate Judge's R&R. Accordingly, the Magistrate Judge's R&R (Doc. 17) is ADOPTED, the Commissioner's *Amended Motion to Remand* (Doc. 16) is GRANTED, and the case is REMANDED to the Commissioner for a decision fully favorable to the Plaintiff and an award of benefits pursuant to Sentence Four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

Dated: July 9, 2009

/s/Kathleen M. O'Malley

KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE